

111TH CONGRESS  
2D SESSION

# H. R. 4874

To amend title 23, United States Code, to authorize the Secretary of Transportation to waive, if in the public interest, certain requirements relating to the letting of contracts, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2010

Mr. ELLISON introduced the following bill; which was referred to the  
Committee on Transportation and Infrastructure

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## A BILL

To amend title 23, United States Code, to authorize the Secretary of Transportation to waive, if in the public interest, certain requirements relating to the letting of contracts, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. WAIVER AUTHORITY.**

4       Section 112 of title 23, United States Code, is  
5       amended—

6               (1) in subsection (a) by adding at the end the  
7       following: “The Secretary may waive for a project  
8       any requirement under this subsection to award a

1 contract by competitive bidding if the Secretary de-  
2 termines, with respect to the project, that such waiv-  
3 er is in the public interest.”; and

4 (2) in subsection (b)(1) by adding at the end  
5 the following: “The Secretary may waive for a  
6 project any requirement under this paragraph to  
7 award a contract by competitive bidding if the Sec-  
8 retary determines, with respect to the project, that  
9 such waiver is in the public interest.”.

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